

16-007
Application No. 09/914,811

REMARKS

The Examiner is thanked for his allowance of all pending claims in the present application. Entry of this Rule 312 amendment is respectfully requested. The issue fee has not yet been paid. The purpose of this Rule 312 Amendment is to correct the U.S. National phase filing date.

On August 30, 2001 application number 09/914,811 was filed in the United States Patent and Trademark Office (USPTO). Subsequently, a Notification of Missing Requirements was issued from the USPTO stating that an oath or declaration of the inventors must be filed to meet the requirements of 35 U.S.C. 371. The allotted time to submit the oath or declaration was two (2) months from the date of the notice (or November 27, 2001) or by 22 or 32 months (December 5, 2001 or January 5, 2001, respectively) (where 37 CFR 1.495 applies) from the priority date for the application, whichever is later. On October 26, 2001, a response was filed including a copy of the Notice of Missing Requirements, a signed declaration for the patent application, a power of attorney and a check covering the surcharge. On March 25, 2002, a filing receipt was received which indicated that the filing date was January 3, 2002. This date is in error. By filing the signed declaration on October 26, 2001, the requirements of 35 U.S.C. 371 were met and this date should be recorded as the date of entry into the U.S. national phase.

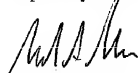
Several attempts have been made to correct this error. Specifically, Responses dated November 11, 2002 and April 3, 2003 brought to the Examiner's attention the incorrect date of entry into the U.S. national phase. Further, the undersigned spoke to the Examiner on October 18, 2002 regarding the incorrect date of entry into the U.S. national phase and the Examiner agreed that the date was in error. However, to the best of the undersigned's knowledge, no correction was made. Therefore, it is respectfully requested that the U.S. national phase filing date be corrected to read October 26, 2001 prior to issuance of the present application as a patent.

The undersigned respectfully requests issuance of a corrected Notice of Allowance and Fee(s) Due reciting the correct U.S. national phase filing date as October 26, 2001.

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If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 23-0630 for any additional fees required under 37 C.F.R. § 1.16 or 1.17.

Respectfully submitted,



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ATTACHMENT TO SHOW CHANGES MADE

The U.S. National Phase filing date should read:

October 26, 2001